



Attorney's Docket No.: 04860.P1403C2

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

Alan R. Peterson, et al. )

Application No.: 09/844,921 )

Filed: April 26, 2001 )

For: Method And Apparatus For Storing And Replaying )  
Creation History Of Multimedia Software Or Other )  
Software Content )

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL  
APPLICATION

(FILED UNDER 37 CFR 1.53(b))

Sir:

Please consider this response to the Notice of Omitted Item(s) in a Nonprovisional Application which was mailed on May 18, 2001. This Notice stated that Figures 13, 14 and 15 appear to have been omitted from the application. Whether or not these figures in fact were omitted from the papers sent with this continuation application filed on April 26, 2001 is moot because the transmittal (attached hereto as Exhibit A) incorporated the parent application (prior application no. 09/482,745, now U.S. Patent No. 6,226,785) by

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.  
on October 19, 2005

Date of Deposit

Claire Walters

Name of Person Mailing Correspondence

Claire Walters

Signature

10/19/2005

Date

reference, and this parent application included Figures 13, 14 and 15. Thus, this continuation application included, on the filing date of April 26, 2001, the Figures 13, 14 and 15. In other words, this continuation application as filed on April 26, 2001 included these figures, and thus there is no need to supply evidence (such as a post card) and no need to supply a copy of the items.

Applicant believes that this response should eliminate the need to comply with options III and/or I of the Notice. Applicant submits that the originally filed continuation application included the evidence that the Figures 13, 14 and 15 were included in the continuation application because the transmittal included the Figures in effect.

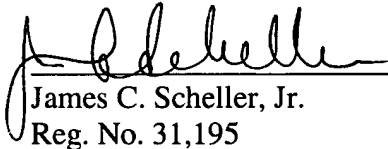
Applicant hereby petitions under rule 37 CFR 1.182 in case it is determined that a response, within two months of the Notice was required. Applicant believes that the transmittal satisfied this response and that the Notice was not required and that no response should be required.

Please charge deposit account 02-2666 in case a petition fee is required.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 10/19/2005

  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/844,921	04/26/2001	Alan R. Peterson	P1403USC2

CONFIRMATION NO. 3534

## FORMALITIES LETTER



\*OC00000006094758\*

 Helene Plotka Workman  
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 Cupertino, CA 95014

Date Mailed: 05/18/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 13,14 and 15 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid

delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE